UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND

FIREMAN'S FUND INSURANCE COMPANY

v. CA 12-836 ML

JOSEPH FIORENZANO

<u>ORDER</u>

This matter is before the Court on the Report and Recommendation issued by Magistrate Judge Sullivan on September 12, 2013. No objection has been filed and the time for doing so has passed. The Court adopts the Report and Recommendation in its entirety. Defendant's Motion to Dismiss is hereby DENIED.

SO ORDERED:

/s/ Mary M. Lisi

Mary M. Lisi Chief United States District Judge October 1, 2013